

## **IN THE CLAIMS**

1. (ORIGINAL) A method of playing a wagering card game comprising an underlying card game and an auxiliary card game comprising:
  - providing a standard set of cards in which some cards, but less than all cards, of at least one certain count value are replaced with replacement cards of equal count value, but the replacement cards have identifying markings that differentiate replacement cards from standard spades, hearts, diamonds and clubs suits;
  - placing at least one wager on the underlying card game;
  - optionally placing a wager on the auxiliary card game;
  - dealing a first number of cards to a player;
  - dealing cards as needed in the play of the player's hand, in common cards, the dealer's hand or combinations thereof to complete the underlying card game;
  - displaying all of the player's cards;wherein if at least one of the displayed player's cards is a replacement card, paying a player who has placed the optional wager for the presence of the at least one replacement card in either the player's hand or the dealer's hand; and paying a player according to the rules of the underlying game.
2. (ORIGINAL) The method of claim 1 wherein the count of cards is fundamental and suit appearance is fundamentally unimportant in the play of the underlying game.
3. (ORIGINAL) The method of claim 1 wherein a second number of cards is dealt to the dealer as part of the underlying game.
4. (CURRENTLY AMENDED) ~~The method of claim 3~~ A method of playing a wagering card game comprising an underlying card game and an auxiliary card game comprising:

providing a standard set of cards in which some cards, but less than all cards, of at least one certain count value are replaced with replacement cards of equal count value, but the replacement cards have identifying markings that differentiate replacement cards from standard spades, hearts, diamonds and clubs suits;

placing at least one wager on the underlying card game;

optionally placing a wager on the auxiliary card game;

dealing a first number of cards to a player;

dealing cards as needed in the play of the player's hand, in common cards, the dealer's hand or combinations thereof to complete the underlying card game;

displaying all of the player's cards;

wherein if at least one of the displayed player's cards is a replacement card, paying a player who has placed the optional wager for the presence of the at least one replacement card in either the player's hand or the dealer's hand; and

paying a player according to the rules of the underlying game,

wherein the underlying game is a variant of Blackjack.

5. (ORIGINAL) The method of claim 4 wherein only one single value of card count is replaced with replacement cards.

6. (CURRENTLY AMENDED) ~~The method of claim 4~~ A method of playing a wagering card game comprising an underlying card game and an auxiliary card game comprising:

providing a standard set of cards in which some cards, but less than all cards, of at least one certain count value are replaced with replacement cards of equal count value, but the replacement cards have identifying markings that differentiate replacement cards from standard spades, hearts, diamonds and clubs suits;

placing at least one wager on the underlying card game;

optionally placing a wager on the auxiliary card game;

dealing a first number of cards to a player;

dealing cards as needed in the play of the player's hand, in common cards, the dealer's hand or combinations thereof to complete the underlying card game;

displaying all of the player's cards;

wherein if at least one of the displayed player's cards is a replacement card, paying a player who has placed the optional wager for the presence of the at least one replacement card in either the player's hand or the dealer's hand; and

paying a player according to the rules of the underlying game,  
wherein at least some of the replacement cards have a count value of seven.

7. (ORIGINAL) The method of claim 4 wherein at least three sevens are replaced with replacement cards and the optional wager pays for the presence of 1, 2 or 3 sevens being present in a hand with a total count of twenty-one or less.

8. (ORIGINAL) The method of claim 4 wherein awards are provided to players making side bet wagers when a dealers hand has at least one replacement card present.

9. (ORIGINAL) The method of claim 4 wherein a payable for side bet payouts on replacement cards appearing in a player's hand comprises:

3 SPECIAL 7's	at least	\$20,000
2 SPECIAL 7's	at least	\$500
1 SPECIAL 7	at least	\$5

10. (CURRENTLY AMENDED) A method of providing a wagering game over at least two time periods comprising:

playing over a first time period a casino table wagering game using symbols in the play of the wagering game wherein a first payout table is used with a payout bonus provided for players having at least one specially marked symbol that displays standard count value in the casino table wagering game, the first time period using a first number of specially marked symbols in the play of the game, and

subsequently to playing the table wagering game over the first time period, playing the casino table wagering game over a second time period with a second number of specially marked symbols that display standard count value in the play of the game, the second number being different from the first number.

11. (CURRENTLY AMENDED) ~~The method of claim 10~~ A method of providing a wagering game over at least two time periods comprising:

playing over a first time period a casino table wagering game using symbols in the play of the wagering game wherein a first payout table is used with a bonus provided for players having at least one specially marked symbol that displays standard count value in the casino table wagering game, the first time period using a first number of specially marked symbols in the play of the game, and

subsequently to playing the table wagering game over the first time period, playing the casino table wagering game over a second time period with a second number of specially marked symbols that display standard count value in the play of the game, the second number being different from the first number, wherein over the second time period, at least one payout for the presence of at least one specially marked symbol in a hand is different for the payout for the presence of at least one specially marked symbol in a hand in the first time period.

12. (CURRENTLY AMENDED) ~~The method of claim 10~~ A method of providing a wagering game over at least two time periods comprising:

playing over a first time period a casino table wagering game using symbols in the play of the wagering game wherein a first payout table is used with a bonus provided for players having at least one specially marked symbol that displays standard count value in the casino table wagering game, the first time period using a first number of specially marked symbols in the play of the game, and

subsequently to playing the table wagering game over the first time period, playing the casino table wagering game over a second time period with a second

number of specially marked symbols that display standard count value in the play of the game, the second number being different from the first number,  
wherein paytables used for the bonus in the first time period and the second time period are different.

13. (ORIGINAL) The method of claim 12 wherein at least a highest payout in the paytable for the first time period and second the second time period are the same while other payouts in the paytable for the first time period and second the second time period are different.

14. (ORIGINAL) The method of claim 12 where a lowest payout in paytables for the first time period and second the second time period are lower in the time period where a greater number of specially marked symbols are present.

15. (ORIGINAL) The method of claim 11 wherein after expiration of the second time period, a third time period of play occurs in which the number of specially marked symbols is larger in the third time period than in the second time period and the first time period.

16. (ORIGINAL) The method of claim 10 wherein the wagering game is a card game.

17. (ORIGINAL) The method of claim 16 wherein the wagering game is a variant of Twenty-one.

18. (CURRENTLY AMENDED) ~~The method of claim 17 wherein the replacement cards~~ A method of providing a wagering game over at least two time periods comprising:

playing over a first time period a casino table wagering game using symbols in the play of the wagering game wherein a first payout table is used with a bonus provided for players having at least one specially marked symbol that displays standard count value in the casino table wagering game, the first

time period using a first number of specially marked symbols in the play of the game, and  
subsequently to playing the table wagering game over the first time period,  
playing the casino table wagering game over a second time period with a second  
number of specially marked symbols that display standard count value in the play  
of the game, the second number being different from the first number, wherein  
the game is a card game variant of Twenty-One and at least one specially  
marked symbol that displays standard count value in the casino table wagering  
game comprises ~~comprise~~ at least some cards with a count value of seven or  
less.

19. (CURRENTLY AMENDED) ~~The method of claim 17 wherein the~~  
~~replacement cards~~ A method of providing a wagering game over at least two time  
periods comprising:

playing over a first time period a casino table wagering game using  
symbols in the play of the wagering game wherein a first payout table is used  
with a bonus provided for players having at least one specially marked symbol  
that displays standard count value in the casino table wagering game, the first  
time period using a first number of specially marked symbols in the play of the  
game, and  
subsequently to playing the table wagering game over the first time period,  
playing the casino table wagering game over a second time period with a second  
number of specially marked symbols that display standard count value in the play  
of the game, the second number being different from the first number, wherein  
the game is a card game variant of Twenty-One and at least one specially  
marked symbol that displays standard count value in the casino table wagering  
game consists ~~consist~~ of some but not all cards having a count value of seven.

20. (CURRENTLY AMENDED) The method of claim 13 wherein the  
~~replacement cards~~ at least one specially marked symbol that displays standard  
count value in the casino table wagering game consists ~~consist~~ of some but not  
all cards having a count value of seven.

21. (CURRENTLY AMENDED) The method of claim 14 wherein the replacement cards at least one specially marked symbol that displays standard count value in the casino table wagering game consists ~~consist~~ of some but not all cards having a count value of seven.

22. (ORIGINAL) The method of claim 13 wherein after expiration of the second time period, a third time period of play occurs in which the number of specially marked symbols is larger in the third time period than in the second time period and the first time period.

23. (ORIGINAL) The method of claim 14 wherein after expiration of the second time period, a third time period of play occurs in which the number of specially marked symbols is larger in the third time period than in the second time period and the first time period.

24. (ORIGINAL) The method of claim 17 wherein after expiration of the second time period, a third time period of play occurs in which the number of specially marked symbols is larger in the third time period than in the second time period and the first time period.

25. (ORIGINAL) The method of claim 1 wherein the optional wager is for the presence of the at least one replacement card in the player's and/or dealer's hand.

26. (ORIGINAL) The method of claim 4 wherein the optional wager is for the presence of the at least one replacement card in the player's and/or dealer's hand.

27. (ORIGINAL) The method of claim 7 wherein the optional wager is for the presence of the at least one replacement card in the player's and/or dealer's hand.

28. (ORIGINAL) The method of claim 9 wherein the optional wager is for the presence of the at least one replacement card in the player's and/or dealer's hand.



## **SUMMARY OF OFFICE ACTION**

### **Claims 1-3, 6, 10, 11, 15-21 and 25 Have Been Rejected**

- 1) Claims 1-3 and 25 have been rejected under 35 USC 102(b) as anticipated by Dahl, U.S. Patent No. 5,653,444.
- 2) Claim 6 has been rejected under 35 USC 103(a) as unpatentable over Dahl (above).
- 3) Claims 10, 16 and 17 have been rejected under 35 USC 103(a) as unpatentable over the game Ten Stix® 21.
- 4) Claims 11, 15 and 18-21 have been rejected under 35 USC 112, second paragraph.
- 5) Claims 11, 15 and 18-21 have been indicated as allowable if the issues under 35 USC 112, are resolved.
- 6) Claims 4, 5, 7-9, 12-14, 22-24 and 26-28 have been indicated as allowable if placed into independent form, with all intervening limitations.